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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

GAINER et al

Atty. Ref.: 4112-7

Serial No. 10/647,132

TC/A.U.: 1626

Filed: August 25, 2003

Examiner:

Confirmation No.: 3899

For: BIPOLAR TRANS CAROTENOID SALTS AND THEIR USES

* * * * *

May 25, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

As suggested by 37 C.F.R. 1.97, the undersigned attorney brings to the attention of the Patent and Trademark Office the references listed on the attached form PTO-1449.

☒ This application was filed after June 30, 2003 so that copies of U.S. Patent Publications are not required and are not attached.

☒ Listed foreign patent publications and other documents are enclosed.

☒ The listed documents were cited in the ISR and copies should have been supplied by WIPO directly to the US PTO. If copies are not timely received from WIPO, please telephone the undersigned so that copies can be timely supplied for the Examiner's consideration in this US National Phase Application.

A copy of a Supplementary Partial European Search Report is also attached. Please note U.S. Patents 6,060,511, 4,070,460, 3,975,519 and 3,965,261 were previously listed on form PTO-1449 filed in this case on June 30, 2004, and we await the return of the initialed document indicating that these references have been considered and made of record.

This is not to be construed as a representation that a search has been made or that no better prior art exists, or that a reference is relevant merely because cited.

The Examiner is requested to initial the attached form PTO-1449 and to return a copy of the initialed document to the undersigned as an indication that the attached references have been considered and made of record.

The undersigned attorney of record hereby certifies under 37 C.F.R. §1.97(e) that each item of information referenced herein and attached hereto was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

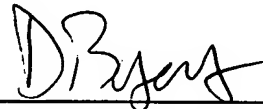
The Examiner should also note that this application is a continuation in part of Application Serial No. 10/372,717.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 14-1140 referencing docket number 4112-7.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



Duane M. Byers
Reg. No. 33,363

DMB:lmo
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

INFORMATION DISCLOSURE
CITATION

ATTY. DOCKET NO.

SERIAL NO.

4112-7

10/647,132

APPLICANT

GAINER et al

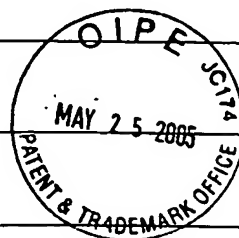
(Use several sheets if necessary)

FILING DATE

TC/A.U.

August 25, 2003

1626



U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	3,853,993	12/1974	J. L. Gainer			
	4,009,270	02/1977	J. V. Gainer, Jr.			
	2,948,748	08/1960	W. Guex, et al			
	2,175,843	10/1939	R. Kuhn, et al			

FOREIGN PATENT DOCUMENTS

DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
WO 9500130	01/1995	PCT			
WO 9814183	04/1998	PCT			
EP 0 908 449 A1	04/1999	European Patent Office			X
CH 522 572	06/1972	Switzerland			X

OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

WIRZ, R., et al, Helv. Chim. Acta, Vol. 43, no. 6, 1960, pages 1738-1745, XP008042762
ISLER, O., et al, Helv. Chim. Acta, vol. 40, no. 5, 1957, pages 1242-1249, XP008042920
WENKERT, E., et al, J. Org. Chem., vol. 55, no. 25, 1990, pages 6203-6214, XP002317164
Database Caplus, Chemical Abstracts Service, Columbus, Ohio, US; XP002317165 [JP 63 059831]
Database Caplus, Chemical Abstracts Service, Columbus, Ohio, US; XP002317166 [JP 05 032531]

*Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.